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EXPATENT DESIGN B&W Ref. 0029	73.00031 Date 5/6/02
☐ HAND CARRY Group/Section_	BldgRm
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Inventor HALAZONETIS ET AL.	Ciem RAUMO
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Assignment w/PTO Cover Sheet	☐ Notice of Appeal & Fee
☐ IDS w/PTO 1449 ☐ References ☐ w/Fee ☐ Preliminary Amendment	☐ Brief: ☐ Appeal & Fee : ☐ Reply
D Priority Claim (Foreign or U.S. Provisional, B&W #	Request for Oral Hearing
	Ussue Fee Advance Patern Copies (# ordered
Country Appl. 4 Date	Amendment under 37 CFR 1.312
☐ w/Foreign Priority Document(s) ☐ Application : ☐ CIP ☐ Continuation ☐ Divisional	Request for Certificate of Correction
Application: CIP Continuation Divisional Parent Ser. No	☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.
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Serial/Parent No. UNICHOWN Inventor HOLD ONET I	BidgRm
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Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETIS ET AL.  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN AS3 THAT ACTIVATION	BIDG RM AP/PW RM BAYER UTH STRUCTURAL SIMILARITY
Serial/Patent No. UNICNOWN  Inventor HALAZONETIS ETAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN & S3 THAT ACTIVATES & S3  The following has been received in the U.S. Patent and Trademark Office.	BIDG RIM APTPW BAYER WITH STRUCTURAL SIMILARITY FUNCTION Souther data etempted because
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Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETIS FAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN &S THAT ACTIVATES &S  The following has been received in the U.S. Patent and Trademark Offin  which provides the series of Claims  (# of independent claims   Data   Data   Data    ## of distinct sheets   Figs.   Detail    ## of distinct sheets   Figs.   CPA    ## assignment w/PTO Cover Sheet   Notice    ## Reque    ## Preliminary Amendment   Reque    ## Preliminary Amendment   Reque    ## Priority Claim (Foreign or U.S. Provisional B&W #    ## Issue    ##	Bidg Rm  APPW  SAYER  UITH STRUCTURAL SIMILARITY  FUNCTION  ce on the date stamped hereon: ence Listing: Diskette Paper  atment Response: OA dtd on for Extension of Time until  RCE W/Ext of Time: OA dtd on for Approval of Drawing Changes of Appeal & Fee ReMAY 6 6 2002  st for Oral Hearing  Fee Advance Patent Copied Parents of Stantons  Fee Advance Patent Copied Parents of Stantons  APPW  RTM  APPW  B A C C C C C C C C C C C C C C C C C C
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Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETIS FAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN & S.3 THAT ACTIVATES & S.3  The following has been received in the U.S. Patent and Trademark Office total pp Spec., including: # of Claims  (# of independent claims   Informal   Petitic   Amer   Petitic   Amer   Petitic	Bidg Rm  APPW  SAYER  UITH STRUCTURAL SIMILARITY  FUNCTION  De on the date stamped hereon: ence Listing: Diskette Paper  Internation of Time until  Response: OA did on for Extension of Time until  RCE W/Ext of Time: OA did on for Extension of Time until  Appeal & Fee Appeal & Fee Appeal & Fee Appeal & Fee Advance Patent Copies Regidered of Allowance ad onent under 37 CFR 1.312 of for Certificate of Correction  Intal  Fee Transmittel W/Auth to Company to the control of the control o
Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETISETAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN & S.3 THAT ACTIVATES & S.3  The following has been received in the U.S. Patent and Trademark Office that the property of the period o	Bidg Rm  A P P W  B AY E R  C AY E R  C On the dale stamped hereon: ence Listing: Diskette Paper atment Response: OA dd  on for Extension of Time ungi  RCE W/Ext of Time: OA ab  est for Approval of Drawing Charges of Appeal & Fee Appeal & Fee Appeal & Fee Advance Patent Copies Rognered of Allowance ad  ment under 37 CFR 1.312 of for Certificate of Correction  attal Fee Transmittal w/Auth, to Charge Deposit Accidate of Mailing
Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETISETAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN & S.3 THAT ACTIVATES & S.3  The following has been received in the U.S. Patent and Trademark Office that pp Spec., including: # of Claims Sequence of Independent claims Sequen	Bidg Rm  A P P W  B AY E R  C ITH STRUCTURAL SIMILARITY  FUN CTION  Ce on the dale stamped hereon: ence Listing: Diskette Paper nament Response: OA did on for Extension of Time until RCE W/Ext of Time: OA did on for Approval of Drawing Changes of Appeal & Fee Appeal & Fee Appeal & Fee Advance Patent Copies Registered of Allowance and ment under 37 CFR 1.312 of for Certificate of Correction littal Fee Transmittal w/Auth, to Change Deposit Accurate of Mailing  for \$  MAST FOR CONFERENCE OF TRANSMITTERS  TOTAL TRANSMITTERS
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Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETISETAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN & S.3 THAT ACTIVATES & S.3  The following has been received in the U.S. Patent and Trademark Office to independent claims   Sequence of including: # of Claims   Sequence of including: # of Claims   Sequence of including: # of distinct sheats   Figs.   Petitok of independent claims   Figs.   Petitok of independent claims   Figs.   Petitok of independent claims   Petitok of independent of including: # of Claims   Petitok of independent of including: # of Claims of CPA   Petitok of independent of including: # of CPA   Petitok of including: # of CPA   Petitok of including: # of CPA   Petitok of Including: # of Continuation   Patent Ser. No.   Bakwi   Patent Ser. No.   Bakwi   Patent Ser. No.   Bakwi   Of Check of Including: # of Continuation   Patent Ser. No.   Paten	BIdg Rm  APPW  BAYER  UITH STRUCTURAL SIMILARITY  FUNCTION  Ce on the dale stamped herbon: ence Listing: Diskette Paper  Idment Response: OA did on for Extension of Time until  RCE W/Ext of Time: OA did on for Approval of Drawing Charges of Appeal & Fee ReMAY I 6 2002  St for Approval of Drawing Charges of Advance Patent Copies Registered of Allowance ad onent under 37 CFR 1.312 of for Certificate of Correction  Intal Fee Transmittal w/Auth, to Charge Deposit Act ate of Mailing  for \$  WEST FOR CONFIRMATION OF ORIGINAL  WEST FOR CONFIR
Serial/Patent No. UNICNOWN  Serial/Patent No. UNICNOWN  Inventor HALAZONETIS FAL. Client  Title PEPTIDES AND PEPTIDOMIMETICS  TO HUMAN & S.3 THAT ACTIVATES & S.3  The following has been received in the U.S. Patent and Trademark Office to independent claims Sequence of including: # of Claims Sequence of including: # of Claims Sequence of Country Security Informal Set of distinct sheets Sequence of Altorney: Executed Unexecuted Requence of Altorney: Executed Unexecuted Requence of Altorney: Sequence of	Bidg Rm  A P P W  B AY E R  C ITH STRUCTURAL SIMILARITY  FUN CTION  Ce on the dale stamped hereon: ence Listing: Diskette Paper nament Response: OA did on for Extension of Time ungil RCE W/Ext of Time: OA did on for Approval of Drawing Changes of Appeal & Fee ReMAY 6 6 2002  Set for Approval of Fee ReMAY 6 6 2002  Set for Oral Hearing Fee Advance Patent Copies Registered of Allowance and ment under 37 CFR 1.312 of for Certificate of Correction  Intal Fee Transmittal w/Auth, to Charge Deposit Accidate of Mailing  for S  MEST FOR CONFIRMATION OF ORIGINAL  LED DATE AND SERLIAL WARRY !

### PATENT AND TRADEMARK OFFICE IN THE UNITED STATE

In re the Application of:

Atty. Docket No.:

002973.00031

HALAZONETIS et a

Serial No.: Not Yet Known

Application is a Divisional of

Group Art Unit: Unknown

Serial No. 08/894,327

(Filed December 4, 1997)

Filed:

April 11, 2001

Examiner:

Unknown

For:

PEPTIDES AND PEPTIDOMIMETICS WITH STRUCTURAL SIMILARITY

TO HUMAN p53 THAT ACTIVATE p53 FUNCTION

### **STATUS INQUIRY**

Commissioner for Patents Washington, D. C. 20231

Sir:

Please advise us of the serial number and the status of the above-identified application including an indication as to when the next communication can be expected.

Respectfully submitted,

Date: October 9, 2001

By:

Registration No. 38,266

Banner & Witcoff, Ltd. 1001 G Street, N.W. Washington, D. C. 20001-4597 (202) 508-9100

### ENITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Atty. Docket No.:

002973.00031

HALAZONETIŞ et al.

MAY 0 6 2002

Not Yet Known

Group Art Unit:

Unknown

Serial No.:

Application is a Divisional of

Serial No. 08/894,327 (Filed December 4, 1997)

Filed:

April 11, 2001

Examiner:

Unknown

For:

PEPTIDES AND PEPTIDOMIMETICS WITH STRUCTURAL SIMILARITY

TO HUMAN p53 THAT ACTIVATE p53 FUNCTION

### REQUEST FOR CONFIRMATION OF ORIGINAL FILING DATE **AND SERIAL NUMBER**

Commissioner for Patents Washington, D. C. 20231

Sir:

On April 11, 2001, Applicants filed a Divisional Application, Fee Transmittal, Preliminary Amendment and Submission of Sequence Listing, Information Disclosure Statement, Form PTO-1449, Joint Declaration for Patent Application (copy), and copy of WO 96/25434 before the U.S. Patent and Trademark Office (USPTO). A copy of the date stamped receipt card as proof of the same is attached. Also, a copy of all papers filed on April 11, 2001 are attached hereto for the convenience of the Patent Office. Applicants have not yet received a filing receipt or notification of a serial number.

On October 9, 2001, Applicants submitted a Status Inquiry for the above-identified divisional patent application. Copy attached. Applicants filed a Second Status Inquiry on February 8, 2002. Copy attached. In response to that Second Status Inquiry, Applicants' undersigned attorney received a telephone call from "Rene" (703-308-1235) of the USPTO. She stated that application serial number 08/894,327 was patented as U.S. Patent No. 6,245,886, on June 12, 2001, and she did not know why she was given the Second Status Inquiry to respond to. 461706\_1.DOC

Applicants followed up on this telephone call with a call to the Office of Initial Patent Examination (OIPE) (703-308-1202), who pointed out that the USPTO did not have any record of the April 11, 2001 divisional application as ever having been filed, and directed us to PCT Branch (703-305-3257).

Mr. Jim Lisehora of PCT Branch confirmed that the USPTO did not have any record of the April 11, 2001 divisional application as ever having been filed and referred us back to OIPE.

Applicants respectfully request the USPTO to accept the attached divisional patent application papers and the date stamped receipt card as proof of the April 11, 2001 filing and accord a filing date of April 11, 2001 and assign a serial number for the above-identified divisional application.

No fees are believed due for consideration of this Request. However, the Commissioner is authorized to charge Deposit Account No. 19-9733 for any fees deemed necessary.

Respectfully submitted,

Date: May 6, 2002

By:

Ajay Pathak

Registration No. 38,266

Banner & Witcoff, Ltd. 1001 G Street, N.W. Washington, D. C. 20001-4597 (202) 508-9100

### **Enclosures:**

Divisional Application Transmittal
Fee Transmittal
Preliminary Amendment and Submission of Sequence Listing
Information Disclosure Statement
Form PTO-1449
Joint Declaration for Patent Application (copy)
Copy of WO 96/25434
Date stamped receipt card bearing USPTO date stamp of April 11, 2001
Status Inquiry dated October 9, 2001
Status Inquiry dated February 8, 2002



PATENT DESIGN B&W Ref. 1  HAND CARRY Group/S ction  Serial/Patent No. TBA  Inventor Halazonetis et al  Title Leptideo and leptidomine	Atty/Sec) HH API ab Client Baner Wistan
(# of independent claims 2); Abstract    Drawings : Formal Informal # of distinct sheets : Figs. PE   Declaration/PoA : Executed   Unexecuted	Amendment Under 37 CFR 1.312  Request for Certificate of Correction  Amendment under 37 CFR 1.312  Request for Certificate of Correction  Check #

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Attorney Docket No.

PTO/SB/05 (11-00)

Approver See through 10/31/2002. OMB 0651-0032
U.S. Parentend Trademark
2: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION TRANSMIT/TA

02973.00031

First Inventor Halazonetis et al.

Peptides and Peptidomimetics with Structural Similarity to Human p53 Title that Activate p53 Function

(Only for new nonprovisional applications under 37 C.F.R. 1.53(5)	Express Mail Label No.					
APPLICATION ELEMENTS	Assistant Commissioner for Patents Box Patent Application Box Patent Application					
See MPEP chapter 600 concerning utility patent application contents.  1.	Washington, DC 20231  7. □ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  a. □ Computer Readable Form (CRF)  b. Specification Sequence Listing on: i. □ CD-ROM or CD-R (2 copies); or ii. ☒ paper					
<ul> <li>Reference to sequence listing, a table, or a computer program listing appendix</li> </ul>	c. Statements verifying identity of above copies  ACCOMPANYING APPLICATIONS PARTS					
- Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings ( if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	9. Assignment Papers (cover sheet & document(s)) 10. 37 C.F.R.§3.73(b) Statement Power of (when there is an assignee) Attorney					
4. Drawing(s) (35 U.S.C.113) [Total Sheets] 5. Oath or Declaration [Total Pages]	11. ☐ English Translation Document (if applicable)  12. ☐ Information Disclosure ☐ Copies of IDS  Statement (IDS)/PTO-1449 Citations					
<ul> <li>a.  Newly executed (original or copy)</li> <li>b.  Oppy from a prior application (37 CFR 1.63 (d))</li> </ul>	13. Preliminary Amendment  14. Return Receipt Postcard (MPEP 503)  (Should be specifically itemized)					
(for a continuation/divisional with Box 18 completed i. □ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. □ Application Data Sheet. See 37 CFR 1.76	15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  17. Other:					
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  □ Continuation □ Divisional □ Continuation-in-part (CIP) of prior application No: 08 / 894.327  Prior application information: Examiner J. Huff Group / Art Unit: 1642  For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.						
	ONDENCE ADDRESS					
Customer Number or Bar Code Label	2907 or ☐ Correspondence address below Attach bar code label here)					
Name Banner & Witcoff, LTD.						
Address 1001 G Street, NW, 11 <sup>th</sup> Floor						
City Washington State	dc Zip Code 20001-4597					
Country USA Telephone	202-508-9100 Fax 202-508-9299					
Nàme (Print/Type) Ajay Pathak	Registration No. (Attorney/Agent) 38,266					
Signature ajung Pathate Dale April 11, 2001						

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

TOTAL AMOUNT OF PAYMENT

U.S. Patent and Trader to respond to a collection of information

PTO/SB/17 (11-00)
use through 10/31/2002. OMB 0651-0032
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as it displays a valid OMB control number.

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Patent fees are subject to an appl revision.

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Complete If Known				
Application Number	ТВА			
Filing Date	Herewith			
First Named Inventor	Halazonetis et al.			
Examiner Name	Unknown			
Group / Art Unit	Unknown			
Attorney Docket No.	02973.00031			

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)							
The Commissioner is hereby authorized to charge		3. AD	DITIONAL	L FEES	·						
1. indicated fees and credit any over payments to:		1	Large		Small						
					<del></del>	Fee	Entity Fee	Fee	Entity Fee		Fee
Depo Accor		19-073	2			Code	(\$)	Code		Fee Description	Paid
Numb		19-0/3	3		•	105	130	205	65	Surcharge - late filing fee or oath	
						127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
Depo Accou		Banner	& Wite	off, LTD		139	130	139	130	Non-English specification	
Name						147	2,520	147	2,520	For filing a request for reexamination	
		y Additiona CFR 1.16				112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
	Applicant See 37 C	claims sma FR 1.27	all entit	y status.		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
2.	Payme	nt Enclose	ed:	•		115	110	215	55	Extension for reply within first month	
l					<b>-</b>	116	390	216	195	Extension for reply within second	
	Check	Cred	lit card	☐ Money Order	☐ Other					month	
1			FEE C	ALCULATION		117	890	217	445	Extension for reply within third month	
1. B	ASIC FI	ING FEE				118	1,390	218	695	Extension for reply within fourth month	
Large	Entity		ntity			128	1,890	228	945	Extension for reply within fifth month	
Fee				Fee Description		119	310	219	155	Notice of Appeal	
Code	• •		\$)	ture fra fa	Fee Paid	7 120	310	220	155	Filing a brief in support of an appeal	
101				Utility filing fee	710	121	270	221	135	Request for oral hearing	
106 107				Design filing fee Plant filing fee		138	1,510	138	1,510	Petition to institute a public use proceeding	
108	710	208 3	55	Reissue filing fe	8	140	110	240	55	Petition to revive – unavoidable	
114	150	214 7	5	Provisional filling	j fee	141	1,240	241	620	Petition to revive – unintentional	
						142	1,240	242	620	Utility issue fee (or reissue)	
		SUB	TOTAL	_ (1)	(\$) 710	143	440	243	220	Design issue fee	
2. EXTR	A CLAIR	A FFFS				144	600	244	300	Plant issue fee	
	, <u></u>			Extra F	ee from Fee	122	130	122	130	Petitions to the Commissioner	
Total Claim	s 4	-20	= [	Claims b	elow Paid = 0	123	130	123	130	Petitions related to provisional applications	-
Independent Claims	2	-3	= [	0 ×	= 0	126	180	126	180	Submission of Information Disclosure Stmt	
Multiple Dependent				x [	= 0	581	40	581	40	Recording each patent assignment per property (times number of properties)	
Large	Entity	Small	Entity	1		146	710	246	355	Filing a submission after final rejection	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Descript	ion	149	710	249	355	(37 CFR § 1.129(a))	
103	18	203	9	Claims in exc	ess of 20	149	710	249	333	For each additional invention to be examined (37 CFR § 1.129(b))	
102	80	202	40	Independent	claims in excess of 3	179					
104	270	204	135	•			710	279	355	Request for Continued Examination (RCE)	
109	80 209 40 ** Reissue independent claims over original patent				169	900 -	· 169	900	Request for expedited examination of a design application		
110	18	210	9	** Reissue cla over original p	nims in excess of 20 and patent	ı					
			SU	JBTOTAL (2)	(\$) 0	Other fo	ee (specif	y)	-		
**or number previously paid, if greater: For Reissues, see above				*Redu	ced by Ba	sic Filin	g Fee Pa	id SUBTOTAL (3) (\$) 0			

SUBMITTED BY		Co	Complete (if applicable)			
Name (Print/Type)	Ajay Pathak	Registration No. Attorney/Agent)	38,266	Telephone	202-508-9100	
Signature	ligary	Pathale_		Date	April 11, 2001	

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